

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: KELLY, Daniel P.

DATE: July 31, 2003

SERIAL NO.: 09/771,782

GROUP ART UNIT: 1732

FILED: 29 January 2001

EXAMINER: Edmund H. Lee

FOR: "Sports Projectile Shaped Bead Necklace and Method of Manufacture"

Attorney Docket No.: A00219US (98361.3)

RESPONSE

Mail Stop Response
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450
 Tel.: 703-305-4019
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Sir:

This is a response to the Office Action dated 31 March 2003. A shortened statutory period was set to expire three months from the date of the Office Action, making a response due by 30 June 2003. Applicant requests a one-month extension of time, and requests that the \$55 fee be charged to Deposit Account No. 50-0694.

REMARKS

Claims 37-43 and 47-49 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bateholts in view of the admitted prior art mentioned on page 1 of the present patent application. Applicant respectfully traverses this rejection.

Bateholts is part of the admitted prior art mentioned on page 1 of the present patent application as filed. Applicant was aware before filing the present patent application of all of the art now cited by the patent examiner against the present claims. Applicant believed that the invention was patentable when the application was filed and still believes that the invention is patentable. The Declaration of Daniel Kelly dated 29 January 2003 submitted with the response dated 30 January 2003 mentions how the present inventor was aware since around 1991 of art equivalent to the art now cited by the patent examiner against the claims, yet neither he nor anyone he knew found it obvious to combine that prior art to arrive at the invention as now claimed.

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